

PLANNING COMMISSION AGENDA REPORT

MEETING DATE: SEPTEMBER 13, 2004

ITEM NUMBER:

SUBJECT:

PLANNING APPLICATION PA-04-17

1992 ANAHEIM AVENUE

DATE:

SEPTEMBER 2, 2004

FOR FURTHER INFORMATION CONTACT: WENDY SHIH, ASSOCIATE PLANNER (714) 754-5136

DESCRIPTION

The applicant is requesting approval of a variance from driveway landscaping requirement (10 ft. required; 0 ft. proposed); design review for a second floor addition to an existing residence; construct a new, two-story duplex at the rear of the lot; and a minor modification for driveway width (16 ft. required; 12 ft. proposed).

APPLICANT

LamTristan Nguyen is representing the property owner, Nguyen and Duong General Partnership.

RECOMMENDATION

Approve by adoption of Planning Commission resolution, subject to conditions.

WĚNĎY SHIH

Associate Planner

PERRY L. VALANTINE

Asst. Development Services Director

PLANNING APPLICATION SUMMARY

Location:	1992 Anaheim Ave.	Application:	PA-04-17				
Request: Variance from driveway landscaping requirement (10 ft. required; 0 ft. proposed), design review for a second floor addition to an existing residence and to construct a new, two-story duplex at the rear of the lot, and a minor modification for driveway width (16 ft. required; 12 ft. proposed)							
SUBJECT PRO	PERTY:	SURROUND	SURROUNDING PROPERTY:				
Zone:	R2-HD	North:	All surrounding properties				
General Plan:	High Density Residential	South:	are residentially zoned and developed with				
Lot Dimensions:	56.78 ft. x 194.2 ft.	East:					
Lot Area: 11,026 sq. ft.		West:	zoning designation of R2-HD				
Existing Developm	ent: Single-family residence	with a single-car garage.					

DEVELOPMENT STANDARD COMPARISON

Development Standard

Required/Allowed

Proposed/Provided

Lot Size:				
Lot Width	100 ft.	56.78 ft.*		
Lot Area	12,000 sq. ft.	11,026 sq. ft.*		
Density:				
Zone	1 du/3,000 sq. ft.	1 du/3,675 sq. ft.		
General Pian	1 du/2,178 sq. t.	Same as above		
Building Coverage:				
Buildings	N/A	27% (2,963 sq. ft.)		
Paving	N/A	31% (3,469 sq. ft.)		
Open Space	40% (4,410 sq. ft.)	42% (4,594 sq. ft.)		
TOTAL	100%	100% (11,026 sq. ft.)		
Rear Yard Coverage:	25 % (284 sq. ft.) max.	10% (112 sq. ft.)		
Building Height:	2 stories/27 ft.	2-stories/ 25 ft. max.		
Ratio of 2 nd floor to 1 st floor**:	80% recommended	<u>Front Bldg.</u> 75% (822 sq. ft./1,090 sq. ft.) <u>Rear Bldg.</u> 84% (1,612 sq. ft./1,922 sq. ft.)		
Setbacks (new structure):		•		
Front (distance between buildings)	10 ft.	71 ft.		
Side (left/right)	5 ft./5 ft.	<u>Front Bldg.</u> 12 ft./4 ft.* <u>Rear Bldg.</u> 5 ft./5 ft.		
2 nd Floor Side (left/right)**	10 ft. average recommended	<u>Front Bldg.</u> 16.4 ft. avg./11.2 ft. avg. <u>Rear Bldg.</u> 10 ft./10 ft.		
Rear (1st floor/2nd floor)	10 ft./20 ft.	17.6 ft./20 ft.		
Parking:	•			
Covered	3	5		
Open	6	4		
Guest	2	2		
TOTAL	11 Spaces	11 Spaces		
Driveway Width:	16 ft.	12 ft.***		
Parkway Landscaping:	10 ft. wide/ 3 ft. min. dimension	0 ft.****		

CEQA Status Final Action Exempt, Class 3
Planning Commission

 ${}^{\star}\textsc{Existing nonconforming.}$

^{**}Design Guidelines

^{***}Minor Modification requested

^{* * * *} Variance requested

BACKGROUND/PROJECT DESCRIPTION

The subject site is developed as a single-family residence with an attached single-car garage. The applicant is proposing to add a second floor to the residence, and construct a 2-story duplex with attached 4-car garage at the rear of the lot.

ANALYSIS

VARIANCE (LANDSCAPE PARKWAY)/MINOR MODIFICATION (DRIVEWAY WIDTH)

The existing residence has a 12 ft. left (north) and a nonconforming 4 ft. right (south), side setback. It is situated on a lot with nonconforming lot width and area (100 ft. wide and 12,000 sq. ft. required; 56 ft. wide and 11,026 sq. ft. existing). There is an existing 12 ft. wide driveway along the left (north) side leading to the back of the lot. Since the applicant proposes a new duplex on the property, the driveway will become a common driveway serving three units, triggering a landscaped parkway and new driveway width requirements.

The zoning code requires a 16 ft. width for driveways serving two or more units, and requires landscape parkways with a combined width of 10 ft. to be provided along the sides of common driveways. The applicant is requesting a minor modification to allow a 12 ft. wide driveway to serve these three units, and a variance to deviate from landscaping on either side of the driveway. Since the lot is only 56 ft. wide and the existing structure is set back 12 ft. from the left (north) side property line, the required 16 ft. wide driveway and 10 ft. of parkway landscaping cannot be provided without demolishing a portion of the residence.

The original intent of the driveway landscaping requirement was to provide visual relief for driveways serving multiple-family or common interest developments, where driveways are often longer (e.g., 300 ft. deep lots). The shorter depth of this lot (194 ft.), and the resultant shorter length of the driveway (106 ft.), reduces the visual impact the driveway will have. Also, it is an existing driveway and the view of the driveway from the street will not change as a result of the new duplex at the rear. The existing 12 ft. wide driveway will still provide adequate on-site circulation for 3 units.

MINOR DESIGN REVIEW

Any two-story construction that results in 3 or more units on a property is subject to a design review, which requires Planning Commission consideration. This allows review of the structure's scale, site planning, landscaping, appearance, and any other applicable features relative to a compatible and attractive development.

The proposed construction meets or exceeds all residential development standards and the intent of the design guidelines. Although the rear structure has a second-to-first floor ratio of 84% (1,612 sq. ft./1,922 sq. ft.), it incorporates variable rooflines and multiple building planes to break up the elevations, and therefore provides visual relief.

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Staff has conducted a field inspection of the property and is of the opinion that the proposed development would not negatively impact the surrounding properties or aesthetics of the neighborhood. There are several 2-story residences in the area so it would not appear out of place or obtrusive. Privacy impacts should be limited because the proposed second floor areas have greater side setbacks than required by code, or recommended by the design guidelines (5 ft. required; 10 ft. average recommended; 10 ft. – 16ft. average proposed). The second floor of the rear building is set back 20 ft. from the rear property line.

ALTERNATIVES

If the variance and minor modification are denied, it would prevent additional units from being constructed at the rear of the existing structure since 10 ft. parkway landscaping would be required. An addition to the front unit could be constructed with approval of a design review.

If the variance/minor modification and design reviews are denied, neither portion of the proposed project would be allowed. The applicant could not submit substantially the same type of design for six months.

ENVIRONMENTAL DETERMINATION

The project is exempt from the provisions of the California Environmental Quality Act.

CONCLUSION

With exception of the requested variance and minor modification, the proposed construction satisfies all applicable code requirements and residential design guidelines. Architectural articulation is provided through a variety of roof and wall planes. The original intent of the landscaped parkway was to provide visual relief for developments where driveways are typically longer. Approval of the variance to eliminate driveway landscaping would not result in a negative visual impact since no change to the front half of the lot is proposed. Approval of the minor modification for a 12 ft. wide driveway will still provide adequate circulation and access for three units.

Attachments: Draft Planning Commission Resolution

Exhibit "A" - Draft Findings
Exhibit "B" - Draft Conditions of Approval
Applicant's Project Description and Justification
Zoning/Location Map
Plans

cc: Deputy City Mgr.-Dev. Svs. Director
Acting City Attorney
Sr. Deputy City Attorney
City Engineer
Fire Protection Analyst
Staff (4)
File (2)

LamTristan Nguyen 12461 Merrill Street Garden Grove, CA 92840

RESOLUTION NO. PC-04-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-04-17

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by LamTristan Nguyen, representing Nguyen and Dhong General Partnership, the property owner with respect to the real property located at 1992 Anaheim Avenue, requesting approval of a variance from driveway landscaping requirement (10 ft. required; 0 ft. proposed), design review for a second floor addition to an existing residence and to construct a new, two-story duplex at the rear of the lot, and a minor modification for driveway width (16 ft. required; 12 ft. proposed), in the R2-HD zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on September 13, 2004.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES** Planning Application PA-04-17 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Planning Application PA-04-17 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 13th day of September, 2004.

STATE OF CALIFORNIA			
)ss		
COUNTY OF ORANGE)		

I, Kimberly Brandt, acting secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on September 13, 2004, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Acting Secretary, Costa Mesa Planning Commission

EXHIBIT "A"

FINDINGS

- A. The information presented substantially complies with section 13-29(g)(1) of the Costa Mesa Municipal Code in that special circumstances applicable to the property exist to justify granting of the variance from parkway landscaping requirements. Strict application of the zoning ordinance would deprive the property owner of privileges enjoyed by owners of other property in the vicinity under identical zoning classification. Specifically, the existing house precludes providing both the required minimum driveway width and driveway parkway landscaping. The original intent of the driveway landscaping was to provide visual relief for driveways serving multiple-family and common-interest developments where driveways are often longer. The shorter depth of this lot will not create a negative visual impact. The deviation granted is the minimum necessary to accommodate the proposed development and does not constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity and zone in which the property is located.
- B. The information presented substantially complies with section 13-29(g)(6) of the Costa Mesa Municipal Code in that the improvement will not be materially detrimental to the health, safety and general welfare of persons residing or working within the immediate vicinity of the project or to the property and improvements within the neighborhood. Specifically, the minor modification for a 12 ft. wide driveway will not negatively impact on- or off-site circulation/access. The 12 ft. width will still provide adequate circulation and access for three units.
- C. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(14) in that the project complies with the City of Costa mesa Zoning Code and meets the purpose and intent of the Residential Design Guidelines, which are intended to promote design excellence in new residential construction, with consideration being given to compatibility with the established residential community. This minor design review includes site planning, preservation of overall open space, landscaping, appearance, mass and scale of structures, location of windows, varied roof forms and roof plane breaks, and any other applicable design features.
- D. The proposed project complies with Costa Mesa Municipal Code Section 13-29 (e) because:
 - a. The proposed development and use is compatible and harmonious with uses both on site as well as those on surrounding properties.
 - b. Safety and compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
 - c. The project is consistent with the General Plan.
 - d. The planning application is for a project-specific case and does not establish a precedent for future development.
 - e. The cumulative effects of all planning applications have been considered.

- E. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA.
- F. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.
- G. The rear building of this development is at an excessive distance from the street, but the plan does not lend itself to fire apparatus access or placement of an on-site fire hydrant. Problems associated with the depth of buildings on the property can be somewhat reduced by installation of a residential sprinkler system.

EXHIBIT "B"

CONDITIONS OF APPROVAL

- Plng. 1. Address assignment shall be requested from the Planning Division prior to submittal of working drawings for plan check. The approved address of individual units, suites, buildings, etc., shall be blueprinted on the site plan and on all floor plans in the working drawings.
 - Prior to issuance of building permits, applicant shall contact the US Postal Service with regard to location and design of mail delivery facilities. Such facilities shall be shown on the site plan, landscape plan, and/or floor plan.
 - 3. The subject property's ultimate finished grade level may not be filled/raised in excess of 30" above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable onsite stormwater flow to a public street, an alternative means of accommodating that drainage shall be approved by the City's Building Official prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public storm water facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump method is determined appropriate, said mechanical pump(s) shall continuously be maintained in working order. In any case, development of subject property shall preserve or improve the existing pattern of drainage on abutting properties.
 - 4. To avoid an alley-like appearance, if the driveway is paved with asphalt, it shall be developed without a center concrete swale. Design shall be approved by the Planning Division.
 - The applicant shall contact AT&T/Broadband Cable Television of Costa Mesa at 200 Paularino, Costa Mesa, (888.255.5789) prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
 - The conditions of approval and ordinance or code provisions and special district requirements of Design Review PA-04-17 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
 - The applicant shall contact the Planning Division to arrange for an inspection of the site prior to the release of utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
 - 8. Show method of screening for all ground-mounted equipment (backflow prevention devices, Fire Department connections, electrical transformers, etc.). Ground-mounted equipment shall not be located in any landscaped setback visible from the street, except when required by applicable uniform codes, and shall be screened from view, under the direction of Planning staff.

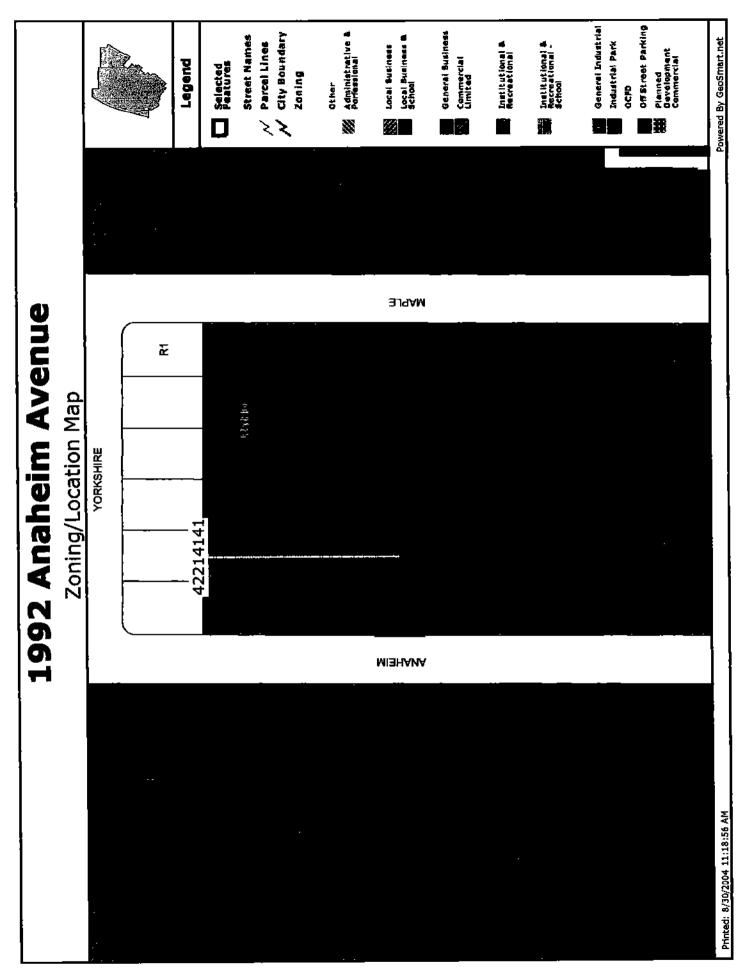
- 9. Grading, materials delivery, equipment operation, and other construction-related activity shall be limited to between the hours of 7 a.m. and 8 p.m., Monday through Friday, and 8 a.m. to 6 p.m. Saturday. Construction is prohibited on Sundays and federal holidays. Exceptions may be made for activities that will not generate noise audible from off-site, such as painting and other quiet interior work.
- Eng 10. At the time of development, maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and remove any spillage from the public right-of-way by sweeping or sprinkling.

PLANN 3 DIVISION - CITY OF COST MESA

DESCRIPTION/JUSTIFICATION

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2.	Justification										
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Signa			M	TUL	, 	_ 	L	APL.	12.200	4	

March '96



1992 Anaheim Ave.

Aerial Photograph



Street Names

Parcels

Legend

NEW 2 REAR UNITS 2- STORY (2 BEDROOMS REMODELING FRONT UNIT TO BE 2-STORY (3 BEDROOMS) W/ 2-CAR GARAGE) & PROPOSAL

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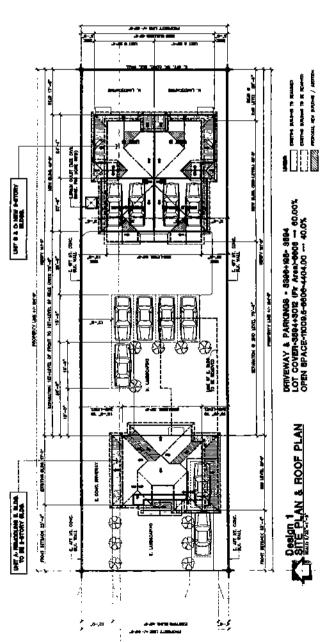
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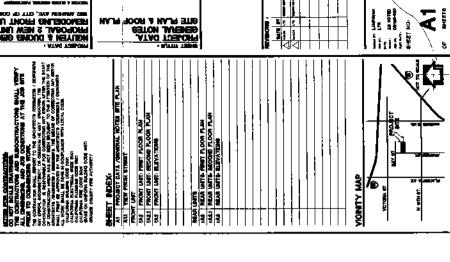
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1992 ANAHEIM AVE., CITY OF COSTA MESA, CA OWNER NGUYEN & DUONG GENERAL PARTNERSHIP PROJECT SITE

LEGAL DESCRIPTION, LOT 12 IN BLOCK F OF TRACT No. 1480, IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIF, AS PER MAP RECORDED IN BOOK 46, PAGE 15, INCLUSIVE OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

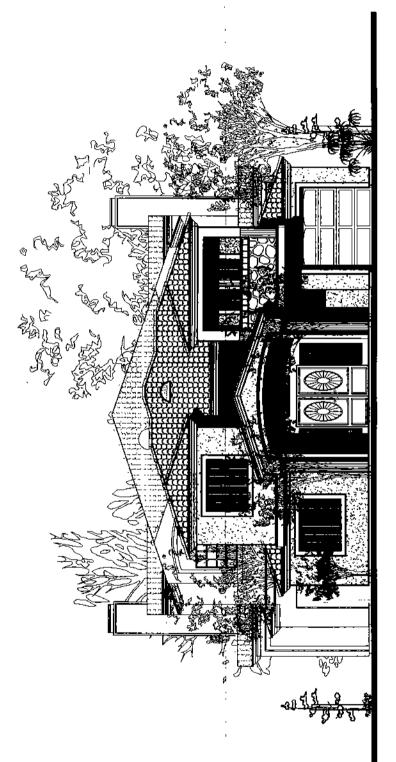


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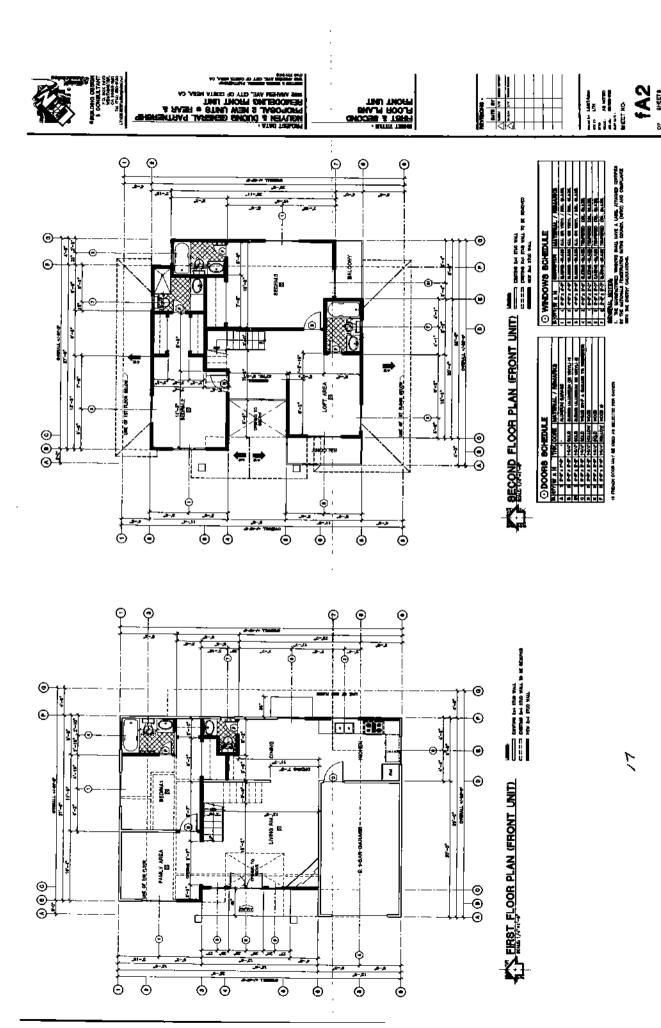


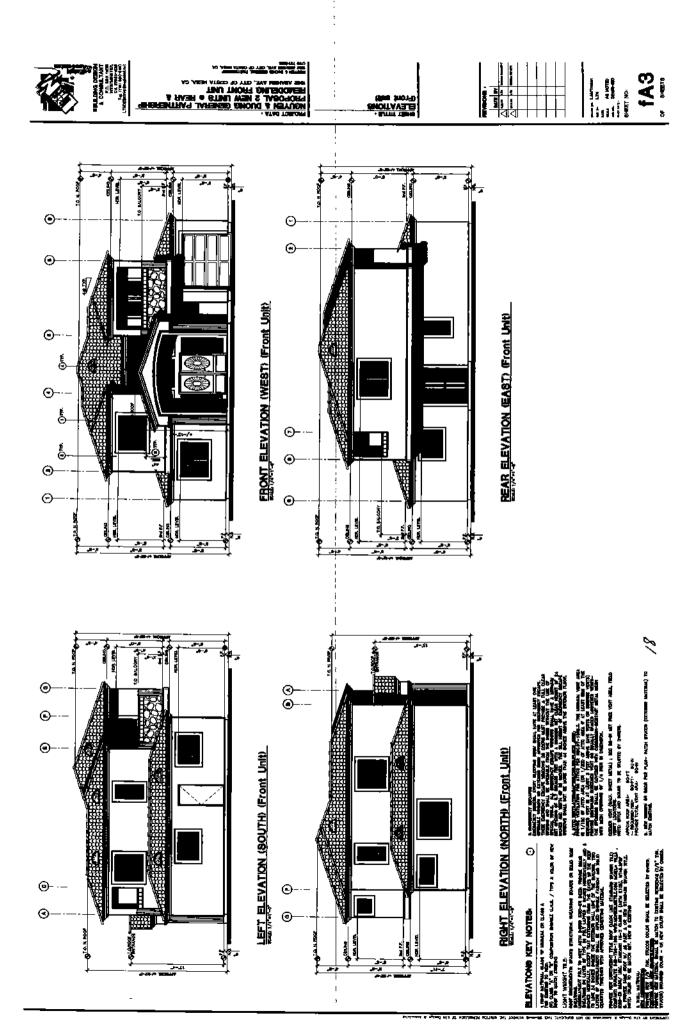


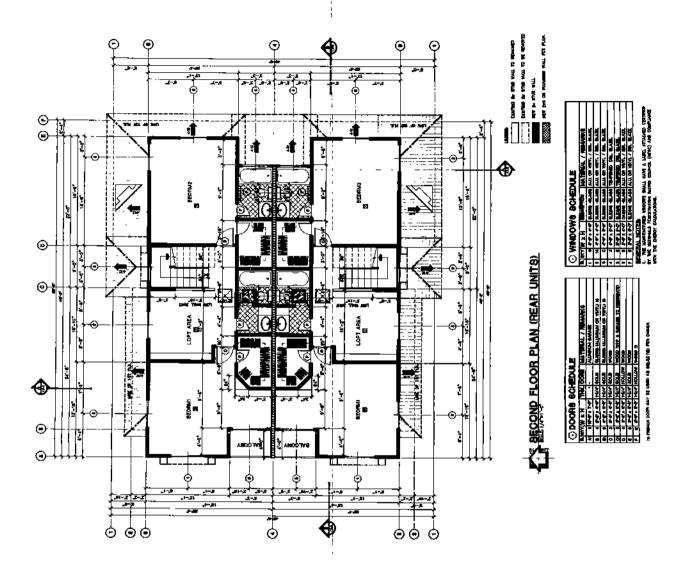


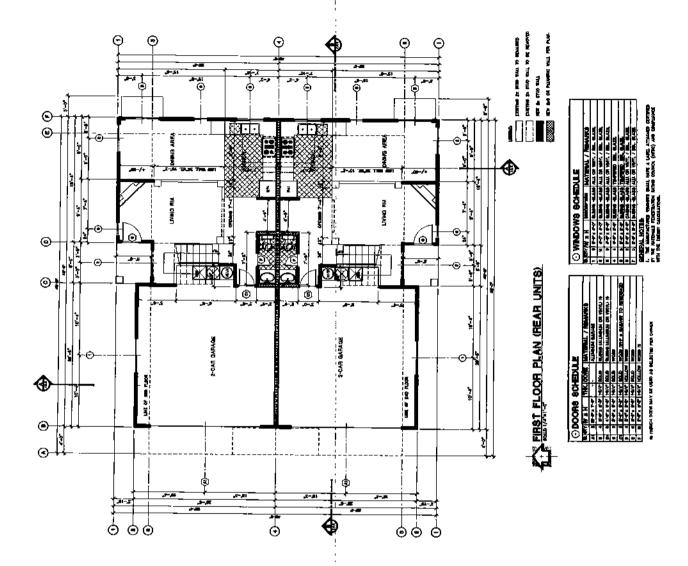


ELEVATION VIEW FROM STREET - (COMBINED FRONT & REAR UNITS)



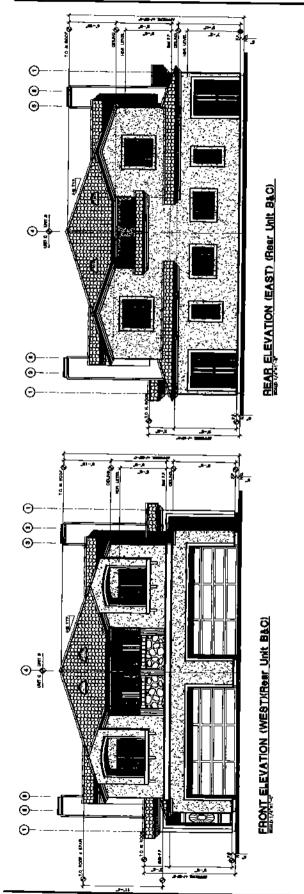


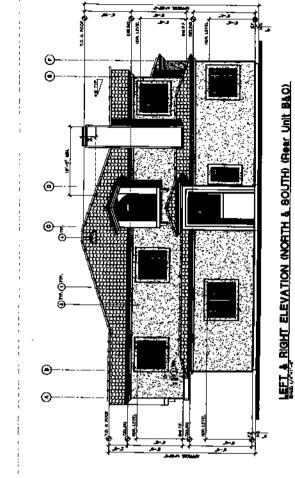




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ELEVATIONS KEY NOTES.

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